

MESSAGE NO: 9120204

MESSAGE DATE: 04/21/2009

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: FIN-Final Determination

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-937

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 04/13/2009 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF CITRIC ACID AND CERTAIN CITRATE SALTS FROM CHINA (A-570-937)

MESSAGE NO: 9120204

DATE: 04 21 2009

CATEGORY: ADA

TYPE: FIN

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 937

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PERIOD COVERED: 04 13 2009 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: FINAL DETERMINATION IN THE ANTIDUMPING DUTY
INVESTIGATION OF CITRIC ACID AND CERTAIN CITRATE SALTS
FROM CHINA (A-570-937)

1. ON APRIL 13, 2009, COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF CITRIC ACID AND CERTAIN CITRATE SALTS FROM THE PEOPLES REPUBLIC OF CHINA.

2. THE SCOPE OF THIS INVESTIGATION INCLUDES ALL GRADES AND GRANULATION SIZES OF CITRIC ACID, SODIUM CITRATE, AND POTASSIUM CITRATE IN THEIR UNBLENDED FORMS, WHETHER DRY OR IN SOLUTION, AND REGARDLESS OF PACKAGING TYPE. THE SCOPE ALSO INCLUDES BLENDS

OF CITRIC ACID, SODIUM CITRATE, AND POTASSIUM CITRATE; AS WELL AS BLENDS WITH OTHER INGREDIENTS, SUCH AS SUGAR, WHERE THE UNBLENDED FORM(S) OF CITRIC ACID, SODIUM CITRATE, AND POTASSIUM CITRATE CONSTITUTE 40 PERCENT OR MORE, BY WEIGHT, OF THE BLEND.

THE SCOPE OF THIS INVESTIGATION ALSO INCLUDES ALL FORMS OF CRUDE CALCIUM CITRATE, INCLUDING DICALCIUM CITRATE MONOHYDRATE, AND TRICALCIUM CITRATE TETRAHYDRATE, WHICH ARE INTERMEDIATE PRODUCTS IN THE PRODUCTION OF CITRIC ACID, SODIUM CITRATE, AND POTASSIUM CITRATE.

THE SCOPE OF THIS INVESTIGATION DOES NOT INCLUDE CALCIUM CITRATE THAT SATISFIES THE STANDARDS SET FORTH IN THE UNITED STATES PHARMACOPEIA AND HAS BEEN MIXED WITH A FUNCTIONAL EXCIPIENT, SUCH AS DEXTROSE OR STARCH, WHERE THE EXCIPIENT CONSTITUTES AT LEAST 2%, BY WEIGHT, OF THE PRODUCT.

THE SCOPE OF THIS INVESTIGATION INCLUDES THE HYDROUS AND ANHYDROUS FORMS OF CITRIC ACID, THE DIHYDRATE AND ANHYDROUS FORMS OF SODIUM CITRATE, OTHERWISE KNOWN AS CITRIC ACID SODIUM SALT, AND THE MONOHYDRATE AND MONOPOTASSIUM FORMS OF POTASSIUM CITRATE.

SODIUM CITRATE ALSO INCLUDES BOTH TRISODIUM CITRATE AND MONOSODIUM CITRATE, WHICH ARE ALSO KNOWN AS CITRIC ACID TRISODIUMSALT AND CITRIC ACID MONOSODIUM SALT, RESPECTIVELY.

CITRIC ACID AND SODIUM CITRATE ARE CLASSIFIABLE UNDER 2918.14.0000 AND 2918.15.1000 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS), RESPECTIVELY. POTASSIUM CITRATE AND CRUDE CALCIUM CITRATE ARE CLASSIFIABLE UNDER 2918.15.5000 AND 3824.90.9290 OF THE HTSUS, RESPECTIVELY. BLENDS THAT INCLUDE CITRIC ACID, SODIUM CITRATE, AND POTASSIUM CITRATE ARE CLASSIFIABLE UNDER 3824.90.9290 OF THE HTSUS. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES,

THE WRITTEN DESCRIPTION OF THE MERCHANDISE IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-937.

4. FOR IMPORTS OF CITRIC ACID AND CERTAIN CITRATE SALT, CBP SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/20/2008.

5. EFFECTIVE 04/13/2009, CBP SHALL REQUIRE, FOR ENTRIES OF CITRIC ACID AND CERTAIN CITRATE SALTS FROM THE EXPORTER/PRODUCER COMBINATIONS LISTED BELOW, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE ANTIDUMPING DUTY RATES SHOWN BELOW:

EXPORTER: TTCA CO., LTD., (A.K.A. SHANDONG TTCA BIOCHEMISTRY CO., LTD.)

PRODUCER: TTCA CO., LTD., (A.K.A. SHANDONG TTCA BIOCHEMISTRY CO., LTD.)

CASE NUMBER: A-570-937-001

MARGIN: 127.32

EXPORTER: YIXING UNION BIOCHEMICAL CO., LTD.

PRODUCER: YIXING UNION BIOCHEMICAL CO., LTD.

CASE NUMBER: A-570-937-002

MARGIN: 94.61

EXPORTER: ANHUI BBKA BIOCHEMICAL CO., LTD.

PRODUCER: ANHUI BBKA BIOCHEMICAL CO., LTD.

CASE NUMBER: A-570-937-003

MARGIN: 110.97

EXPORTER: ANHUI BBKA BIOCHEMICAL CO., LTD.

PRODUCER: CHINA BBKA MAANSHAN BIOCHEMICAL CORP.

CASE NUMBER: A-570-937-004

MARGIN: 110.97

EXPORTER: A.H.A. INTERNATIONAL CO., LTD.

PRODUCER: YIXING UNION BIOCHEMICAL CO., LTD.

CASE NUMBER: A-570-937-005

MARGIN: 110.97

EXPORTER: A.H.A. INTERNATIONAL CO., LTD.

PRODUCER: NANTONG FEIYU FINE CHEMICAL CO., LTD.

CASE NUMBER: A-570-937-006

MARGIN: 110.97

EXPORTER: HIGH HOPE INTERNATIONAL GROUP JIANGSU NATIVE
PRODUCE IMP & EXP CO., LTD.

PRODUCER: YIXING UNION BIOCHEMICAL CO., LTD.

CASE NUMBER: A-570-937-007

MARGIN: 110.97

EXPORTER: HUANGSHI XINGHUA BIOCHEMICAL CO., LTD.

PRODUCER: HUANGSHI XINGHUA BIOCHEMICAL CO., LTD.

CASE NUMBER: A-570-937-008

MARGIN: 110.97

EXPORTER: LIANYUNGANG JF INTERNATIONAL TRADE CO., LTD

PRODUCER: TTCA CO., LTD., (A.K.A. SHANDONG TTCA BIOCHEMISTRY
CO., LTD.)

CASE NUMBER: A-570-937-009

MARGIN: 110.97

EXPORTER: LAIWU TAIHE BIOCHEMISTRY CO., LTD.

PRODUCER: LAIWU TAIHE BIOCHEMISTRY CO., LTD.

CASE NUMBER: A-570-937-010

MARGIN: 110.97

EXPORTER: LIANYUNGANG SHUREN SCIENTIFIC CREATION IMPORT &
EXPORT CO., LTD.

PRODUCER: LIANYUNGANG GREAT CHEMICAL INDUSTRY CO., LTD.

CASE NUMBER: A-570-937-011

MARGIN: 110.97

EXPORTER: PENGLAI MARINE BIO-TECH CO. LTD.

PRODUCER: PENGLAI MARINE BIO-TECH CO. LTD.

CASE NUMBER: A-570-937-012

MARGIN: 110.97

EXPORTER: RZBC IMP & EXP. CO., LTD./ RZBC CO., LTD./ RZBC
(JUXIAN) CO., LTD.

PRODUCER: RZBC CO., LTD.

CASE NUMBER: A-570-937-013

MARGIN: 110.97

EXPORTER: RZBC IMP & EXP. CO., LTD./ RZBC CO., LTD./ RZBC
(JUXIAN) CO., LTD.

PRODUCER: RZBC (JUXIAN) CO., LTD.

CASE NUMBER: A-570-937-014

MARGIN: 110.97

EXPORTER: RZBC IMP & EXP. CO., LTD./ RZBC CO., LTD./ RZBC
(JUXIAN) CO., LTD.

PRODUCER: LIANYUNGANG GREAT CHEMICAL INDUSTRY CO., LTD.

CASE NUMBER: A-570-937-015

MARGIN: 110.97

EXPORTER: SHIHEZI CITY CHANGYUN BIOCHEMICAL CO., LTD.

PRODUCER: SHIHEZI CITY CHANGYUN BIOCHEMICAL CO., LTD.

CASE NUMBER: A-570-937-016

MARGIN: 110.97

EXPORTER: WEIFANG ENSIGN INDUSTRY CO., LTD.

PRODUCER: WEIFANG ENSIGN INDUSTRY CO., LTD.

CASE NUMBER: A-570-937-017

MARGIN: 110.97

EXPORTER: PRC-ENTITY

PRODUCER: PRC-ENTITY

CASE NUMBER: A-570-937-000

MARGIN: 156.87

6. TTCA CO., LTD'S, (A.K.A. SHANDONG TTCA BIOCHEMISTRY CO., LTD.)

(TTCA) CASH DEPOSIT RATE HAS BEEN ADJUSTED FOR THE 1.76 PERCENT EXPORT SUBSIDY RATE DETERMINED FOR TTCA IN THE COMPANION FINAL AFFIRMATIVE COUNTERVAILING DUTY DETERMINATION OF CITRIC ACID FROM THE PRC (74FR16838 4/13/2009).

7. IN ADDITION, AS STATED IN 74 FR 16838 FOR ALL SEPARATE-RATE RECIPIENTS THAT WERE NOT SELECTED AS MANDATORY RESPONDENTS, WE ARE REQUIRING AN ANTIDUMPING CASH DEPOSIT OR THE POSTING OF A BOND FOR EACH ENTRY EQUAL TO THE AVERAGE OF THE MARGINS CALCULATED FOR THE MANDATORY RESPONDENTS (I.E., TTCA AND YIXING UNION BIOCHEMICAL CO., LTD.), ADJUSTED FOR THEIR RESPECTIVE EXPORT SUBSIDY RATES.

8. FOR ALL OTHER ENTRIES OF CITRIC ACID AND CERTAIN CITRATE SALTS, THE FOLLOWING CASH DEPOSIT/BONDING INSTRUCTIONS APPLY:

A. FOR ALL PRC EXPORTERS OF CITRIC ACID AND CERTAIN CITRATE SALTS, WHICH HAVE NOT RECEIVED THEIR OWN RATE THE CASH-DEPOSIT OR BONDING RATE WILL BE THE PRC-WIDE RATE.

B. FOR ALL NON-PRC EXPORTERS OF CITRIC ACID AND CERTAIN CITRATESALTS WHICH HAVE NOT RECEIVED THEIR OWN RATE, THE CASH-DEPOSIT OR BONDING RATE WILL BE THE RATE APPLICABLE TO THE EXPORTER/PRODUCER COMBINATIONS THAT SUPPLIED THAT NON-PRC EXPORTER.

9. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF CBP, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT).

OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES, CUSTOMS OFFICERS MAY REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING

REQUIREMENTS.

10. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O8:LA).

11. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party